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MS RCE
PATENT
0152-0577P

## IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:

Satoshi KAWAMURA et al. Conf.:

8442

Appl. No.:

09/914,077

Group:

2822

Filed:

August 23, 2001

Examiner: MONICA LEWIS

For:

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## REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

MS RCE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 September 29, 2004

Sir:

This is a "Request for Continued Examination" under 37 C.F.R. § 1.114, the provisions of which do not apply to:

(1) A provisional application; (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) An international application filed under 35 U.S.C. §363 before June 8, 1995; (4) An application for a design patent; or (5) A patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed; e.g. final rejection, Ex Parte Quayle; or notice of allowability

- This Request for Continued Examination is being filed prior to the earliest of:
  - (1) Payment of the issue fee, unless a petition under § 1.313 is granted; (2) Abandonment of the application; or (3) The filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of civil action under 35 U.S.C. §§ 145 or 146, unless the appeal or civil action is terminated.
- The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8. 09/30/2004 CCHAU1 00000019 09914077

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	The	The enclosed document is being transmitted via facsimile.									
$\boxtimes$	Submission Required under 37 C.F.R. § 1.114:										
	Do <u>NOT</u> enter the After Final Amendment(s) priled on under 37 C.F.R. § 1.116.							previously			
	Enter as part of the present submission:										
		The After Final Amendment(s) previously filed on August 13, 2004, under 37 C.F.R. § 1.116 but unentered, in the present application.									
		Arguments in the Appeal Brief or Reply Brief previously filed on .									
		A Reply Under Rule 1.111, attached hereto. Claim fee(s) are calculated as set forth below:									
			TOTAL NUMBER OF	TOTAL NUMBER OF		NUMBER	Large Entity		Small Entity		
			CLAIMS PREVIOUSLY PAID FOR	CLAIMS BEING FILED HEREWIT	}	<u>EXTRA</u>	Rate	Fee	Rate	Fee	
	Total Claims		27	21 =			X 18	\$	Х 9	\$	
	Independent Claims		12	2 =			X 86	\$	X 43	\$	
	11		PRESENTATION OF A MUL		TIPLE		290	\$	145	\$	
			TOTAL C			AL CLAIM	LAIM FEE(S)			\$0.00	
	An Information Disclosure Statement (IDS) and PTO-1449 form(s) is/are attached hereto for the Examiner's consideration.										
		Other:									
	Miscellaneous										
		Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ( ) months. (Period of suspension shall not exceed 3 months.)									

The required fee under 37 C.F.R. § 1.17(e) as required by 37 C.F.R. § 1.114 when the RCE is filed, is enclosed herewith:

- ☐ \$385.00 small entity
- The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). The fee has been calculated as shown below:
  - NO extensions of time have been previously obtained in the prior application. Thus, a fee of \$0.00 is required for the full period of the above-requested extension of time.
  - An extension of two (2) month(s) was previously requested and paid for on August 13, 2004 in the instant application. Thus, a fee of \$530.00 is required to obtain an additional one (1) month(s) extension.
- The fee of \$130.00 under 37 C.F.R. § 1.17(i) for suspension of action is enclosed.
- Enclosed is(are) check(s) in the total amount of \$1,300.00 for the applicable filing fee, additional claims fee, suspension fee, and/or extension fees.
- Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

John W. Bailey, #32,881

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JWB/RFG:cms 0152-0577P

Attachment(s)

(Rev. 02/12/2004)